

Remarks/Arguments

Claims 21-23 are cancelled.

Claim 1 is amended to identify steps of the claimed tuning process as being capable of being able to receive both analog and digital based broadcast channels. This capability of the invention is disclosed in the specification for decoder 100 (see specification, page 5, lines 2-20, Fig.1, and in other places.

Claim 1 also claims that program guide information is acquired from an identified channel, when the channel is identified as being either analog or digital. The program guide information is found in the vertical blanking interval (VBI) or an analog channel and as packetized data for a digital channel. Support for this part of the amendment to Claim 1 is found in the specification on page 6, lines 19-30, and in other places.

Claim 12 is amended to clarify the language of the claim from a different second channel number to a first different channel number. The claim is also amended to specify that a second program guide be considered for the disclosed method. Both program guides have information that map broadcast channels numbers to different channel numbers. Support for using two different program guides is disclosed in the specification on page 11, line 33 to page 12, line 8, Fig. 6, and in other places.

Claim 13 is amended to comport the language of the claim to Claim 12.

Claim 17 is amended to claim a decision where one program guide is favored over a second program guide. Support for this amendment is found in the specification on page 11, line 33 to page 12, line 2, and in other places.

Claim 18 is amended to comport the language of the claim to Claim 12.

Claim 20 is amended to comport the language of the claim to Claim 12.

Claim 24 is amended to claim that both a virtual channel number and the corresponding physical transmission number are displayed, when the virtual channel is used to select a broadcast channel. Support for this amendment is found in the specification on page 14, lines 15-21, Fig. 10, and in other places.

No new matter was added in view of these amendments.

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I. Objection to the Specification

The Examiner objected to the specification in view of the wording and definition informalities to the terms virtual channel numbers, transmission channel numbers, and broadcast channel numbers.

Applicant believes that such terms are identified in the specification in a manner for one skilled in the art to understand the claimed invention. For example, a transmission channel number is the physical channel number (PTC) determining the carrier frequency of transmission of the channel (see specification, page 4, lines 10-12). A broadcast channel (as determined from major or minor numbers) may be deemed as a virtual channel or a logical channel, (see specification, page 4, lines 21-22). A virtual channel identification number is identified as being different from the transmission channel identification number in the Summary of the Invention as in other places in the specification.

Applicant requests that the Examiner remove this objection.

II. Objection to Claim 13

The Examiner objected to Claim 13 due to the claimed element of "said second channel identification number". The amendment to Claim 13 overcomes the Examiner's objection. Applicant requests that the Examiner remove the objection.

III. 35 U.S.C. § 112 Rejection to Claim 22

The Examiner rejected Claim 22 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter for which Applicant regards as the invention. This rejection is now moot, as Claim 22 is now rejected.

IV. 35 U.S.C. § 102 Rejection of Claims 1-6, 8-14, and 16-20

The Examiner rejected Claims 1-6, 8-14, and 16-20 under 35 U.S.C. § 102(e) as being anticipated by Sugiyama et al. (U.S. Patent # 6,313,886, hereafter referred to as 'Sugiyama'). Applicant disagrees with this rejection.

Amended Claim 1 claims:

"determining said identified broadcast channel as being either analog or digital;

acquiring program guide information transmitted on said identified broadcast channel, wherein said program guide information is transmitted in the vertical blanking interval (VBI) of said identified broadcast channel when determined to be analog, and said program guide information is received from packetized program information of said identified broadcast channel when determined to be digital." Sugiyama does not disclose an operation of obtaining program guide information from an identified analog channel or a identified digital channel".

Sugiyama does disclose an operation of assigning minor channel designations to a non-PSIP transport stream (Sugiyama, col. 5, line 45 to col. 6, lines 55). This process does not disclose nor suggest an operation of obtaining program guide information from the VBI of an analog signal, as claimed in Claim 1.

Amended Claim 12 claims a process of operating with a first and second program guide where both program guides have "information mapping" broadcast channel numbers to different channel numbers. Sugiyama, in contrast, discloses an operation of having to create mapping information for program guides which do not have the claimed "information mapping" broadcast channel numbers to different channel numbers for non-PSIP program guides. This process of operating with non-PSIP program guides without such channel mapping information is disclosed in the specification of Sugiyama in col. 5, line 45 to col. 6, line 55, and Figs. 9 and 10.

Applicant requests that the Examiner remove the rejection to Claims 1 and 12, in view of the comments disclosed above. Applicant also requests that the Examiner remove the rejection to Claims 2-6 and 8-11, which depend on allowable Claim 1, and Claims 13-14 and 16-20, which depend on allowable Claim 12, respectively.

V. 35 U.S.C. § 102 Rejection of Claim 24

The Examiner rejected Claim 24 under 35 U.S.C. § 102(e) as being anticipated by Schneidewend et al. (U.S. Patent # 6,249,320, hereafter referred to as 'Schneidewend'). Applicant disagrees with this rejection.

Amended Claim 24 claims an element of displaying a "physical transmission number" that corresponds with a virtual channel with a virtual channel identification number. Schneidewend, in contrast, does display a virtual channel identification number, but this number is not displayed with the "physical

transmission number" that corresponds the virtual channel, (see Schneidewend, col. 11, line 49-lines 63, Fig. 12, and in other places).

For the reasons listed above for Claim 24, Applicant requests that the Examiner remove the rejection to this claim.

VI. 35 U.S.C. § 103 Rejection of Claims 7 and 15

The Examiner rejected Claims 7 and 15 under 35 U.S.C. § 103(a) as being unpatentable over Sugiyama, in view of Vancelette (U.S. Patent # 5,894,320). Applicant disagrees with this rejection.

Applicant asserts that Claim 7, which depends on allowable Claim 1, and Claim 15, which depends on allowable Claim 12, are patentable for the reasons given above. Applicant requests that the Examiner remove the rejection to these claims.

VII. 35 U.S.C. § 103 Rejection of Claims 25 to 29

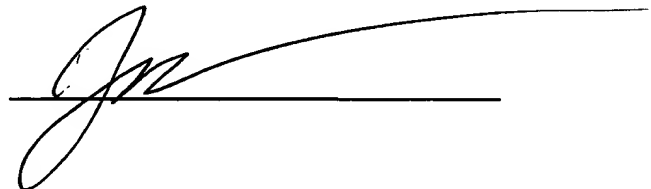
The Examiner rejected Claims 25-29 under 35 U.S.C. § 103(a) as being unpatentable over Schneidewend, in view of Alten et al. (U.S. Application #2002/0049973A1, hereafter referred to as 'Alten'). Applicant disagrees with this rejection.

Applicant asserts that Claims 25-29, which depend on allowable Claim 24, are patentable for the reasons given above. Applicant requests that the Examiner remove the rejection to these claims.

Applicant is filing this paper with a request for a two month extension under 37 C.F.R. 1.136(a). All the fees owed in connection with this action are to be charged to Deposit Account 07-0832, as indicated in the fee sheet being filed with this response. Please charge any other fees owed in connection with this response to this deposit account, as well.

The Examiner is invited to contact the Applicant's attorney at (609) 734-6809, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,

A handwritten signature in black ink, consisting of a stylized 'J' followed by a long horizontal line that curves upwards at the end.

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